

Minutes of the Judiciary and Law Enforcement Committee - May 13, 2005

The meeting was called to order at 8:30 a.m. by Chair Mitchell. Supervisor Seitz led the committee with the Pledge of Allegiance.

Present: Chair William Mitchell, County Board Supervisors Kathleen Cummings, Keith Harenda, Mareth Kipp, Carl Seitz; **Absent:** David Swan and Jean Tortomasi

Staff Present: Legislative Policy Advisor Dave Krahn, Legis. Associate Sandra Meisenheimer

Also Present: County Executive Chief of Staff Allison Bussler, County Board Chairman Jim Dwyer, Judge Michael Bohren, Risk Mgt. Administrator Laura Stauffer, Circuit Court Services Business Mgr. Bob Snow, Sheriff Captain Steve Marks, Business Mgr. Tom Koth, DOA Budget Mgr. Keith Swartz

Approve Minutes of April 29, 2005

Motion: Cummings moved, second by Seitz, to approve the minutes of 4/29/05. **Motion carried 5 – 0.**

Executive Committee Report by Bill Mitchell of May 2, 2005 Meeting

Mitchell said Senator Scott Fitzgerald was present to talk about the budget process and some of the challenges the State is facing this year. Supervisor Bonnie Morris' appointment to the Lower Genesee Management District was voted on and committee chairs gave their committee reports.

Future Agenda Items by Committee Members

Cummings mentioned NIMS (National Incident Management System), which was discussed at the last Local Emergency Planning Committee meeting. She said it is sort of an emergency readiness that is required of all units of government. Mitchell said that Emergency Mgt. Coordinator Jim Malueg might be appearing at the next committee meeting on June 3 to give an update on activities and grants so he could discuss NIMS at that time.

Reports by Committee Member Liaisons

Kipp said she was at the NAMI Convention two weeks ago. She said at one of the breakout sessions the Executive Director of the Fox Valley NAMI advised they have trained police officers with the ability to divert. Kipp said the object is to divert before a person gets into the system. The Fox Valley is willing to visit and teach the Sheriff's Department, City Police and people from other areas to address the issues regarding mental illness. At the convention Kipp said she received the Service to Government award from the State NAMI organization.

Correspondence

Kipp mentioned that Waukesha County is featured with Consultant Bob Gibson in the last issue of the Wisconsin Counties Association magazine, regarding the Waukesha County Criminal Justice Collaborating Council.

Future Meeting Dates

The next committee meeting is scheduled for Friday, June 3, 2005.

Status Update on Courthouse/Administration Center Campus Security Issues

Mitchell said all county board supervisors received an email from County Executive Finley saying it is time to lock down the building for the safety of the citizens and staff. He will be proposing this project in the 2006 budget. Bussler stated this is something the County Executive wants to do and wants to start working on. There has been a Security Committee working on this issue. With all

that is going on in the world today, we need to secure the courthouse. The biggest issue is financial because full-time staff will be needed to man the entrance(s). Also, there will be a loss of convenience if the building is locked down. Some questions are: will staff be able to enter through some designated doors and how will tailgating be taken care of? There is an ordinance being written but it is not ready yet. Mitchell asked which non-county employees would have access such as attorneys, public defenders, press, etc.? Bussler said they are leaning toward giving access to any State employee who has an office in the county (judges, D.A.'s office, etc.), but that is where the line would be drawn.

Seitz asked is there a cost estimate for one entrance? Bussler said \$250,000 ballpark. There would be one sworn officer and two civilian bailiffs. She said another concern is a backup might occur in the morning. There isn't a large lobby area at the main entrance so there might be a need to redesign the front area, which would require a capital project. Mitchell asked what about meetings that take place in the evening, such as some of the County Board meetings? Bussler said they haven't quite gotten there yet. Dwyer said you also have to consider that the rooms in the Administration Center are used almost every evening.

Kipp stated what makes the most sense to her is public access at the main entrances to the courthouse and administration center. Bussler said what they're struggling with now is a very tough budget. Kipp asked how does this affect the finalization of the jail building with the secure courts? Will that still be necessary if we're securing everything else? Bussler said she doesn't believe so. It would be somewhat of a shifting of cost in that if there is one entrance staffed, they could screen everyone there. Kipp asked is there money that is currently allocated to that area? Bussler said we don't currently have any money allocated toward the additional operation of a building. These are operational costs, which are on going and not a one-time expense.

Mitchell said he isn't against this idea but feels the primary concern in the courthouse is the transportation of prisoners and that is where a lot of the focus should be. The secured courthouse hopefully will offer some opportunities to transport prisoners more safely. Mitchell asked do you have a timetable? Bussler said she couldn't give an exact date, but it will be worked out by the time the County Executive's budget is introduced. Kipp asked about grants. Bussler said they will look for grants. Swartz said grant funds that are out there are for purchasing equipment not operations.

Judge Bohren distributed a letter summarizing the three issues (perimeter screening; current level of security; new court facility) the judges and the Security Committee are concerned with. He stated they are very happy with the proposal for the 2006 budget to secure the courthouse and administration center. They've been proposing it for a number of years so it is a good step forward. They are proposing and continue to ask that between July 1 and December 31, 2005 that we have some type of entrance security imposed in the building as a way to train staff, acclimate employees and to give them data collection as to what type of situations they will encounter. They continue to be concerned with the internal security within the courthouse. Security in each of the courtrooms is needed. Also, the lack of security in the corridors exists today on all of the floors as inmates are transported to courtrooms. He explained how dangerous the family courts are on the third floor, as well as on the first and second floors where inmates are transported in the corridors for criminal, family and mental commitment hearings.

Bohren stated another issue is connecting the new jail to the courthouse building whether there is a courthouse addition is built or not. There is no way for people to get from the courthouse to the new jail without walking around the Criminal Justice Facility and through the Juvenile Court

parking lot. That is an issue that has to be addressed. The other issue is how to move inmates from the new jail into the current courthouse before a courthouse addition is built.

Bohren stated they are also concerned with the overall concept of the courthouse addition from the standpoint of when it was first discussed as a way to consolidate all criminal activities in one location, which they view as a positive. If the building isn't built in a way that it can house the full criminal division activity, the problem of moving people through the corridors of the courthouse is not solved. If it's not built correctly and in a way that deals with the issues, perhaps, the building shouldn't be built.

Seitz asked with the way the new jail is being built, are we doing something wrong or are we accomplishing everything that is needed in the movement of prisoners? Bohren said the new jail will hold the inmates and supervise them in the facility. It is a state of the art facility. It will be economically good, management solid, and a good facility. But the issue always out there is the movement of inmates. The concept of having the new jail where it is now was conditioned upon building a courthouse addition that would allow inmates to go immediately from the jail into the courthouse addition and not at a great distance. They thought that was a positive step and that is what they want and prefer to have. The comments in his letter refer to the situation of what is ultimately built doesn't house the entire criminal division function in one locality. It will cause inmates to be moved longer distances, and there will still be people/inmates in the courthouse corridors. That is not a good situation.

Marks stated on behalf of the Sheriff, he is 100% behind the proposal, and they also agree with Judge Bohren's comments. Marks said everyone should stop by Room 219 where the Oswald trial is taking place to see how the equipment is set up and how effective the scanning machine is.

Status Update of Circuit Court Services Strategic Plan and Highlights of New Strategic Plan for 2006-2008

Snow said they are working on their new strategic plans for 2006-2008 but it is not finished yet. He distributed copies of Pages 86 and 87 from the 2005 budget book -- Departmental Objectives for 2005. He covered the following areas as the committee asked questions and discussed applicable issues: Manage Resources with Fiscal Prudence; Provide Comprehensive Customer Service; Innovate and Seek Continuous Quality Improvement; and Retain and Develop a High Quality Workforce.

Mitchell asked do you have a lot of turnover in the courts? Snow said the county is a good place to work. Within departments different promotional sequences exist. Recently, three people transferred to the District Attorney's office and those leaving the county is cyclical.

Snow distributed copies of "State of the Judiciary 2005, Chief Justice Shirley S. Abrahamson, Wisconsin Judicial Conference, May 3, 2005, Milwaukee, Wis." He pointed out two places (Pages 6 and 11) where Waukesha County is mentioned as to Waukesha's Self-Help Center and the alcohol-treatment court.

Mitchell asked regarding the new Strategic Plan for 2006-2008, do you perceive it being done when the 2006 budget is presented? Snow said he doesn't know, because there has been a change in the timeframe.

Legislative Update

Krahn distributed a handout regarding “State Legislation as of 5/13/05” as it pertains to the Judiciary Committee. Mitchell asked what is your read on “Smart Growth” being eliminated? Krahn said it was somewhat alluded to by Senator Scott Fitzgerald when he suggested to the Executive Committee last week that there are going to be cuts.

Krahn went on to say that TABOR (Taxpayer’s Bill of Rights) has been reintroduced but there won’t be any movement until October or November of this year. The State budget is going a little slow but they (Republican Senators and Representatives) have been scrambling behind the scenes. (Decisions made by the Joint Finance Committee (JFC) are made behind closed doors or closed caucus). The JFC did deal with the OAR (Operating After Revocation) issue, and it went along with the change to de-criminalize the first offense, which has been touted by many courts people and district attorneys as being a good idea. Regarding the Byrne Grant, the JFC didn’t quite go along with what the governor suggested. Regarding the State matching funds of 25% for the Byrne, the JFC agreed to take a portion and put it toward three of the more important programs (local drug task force, victims/witness, and D.A. computer programs).

In regard to interpreters, Krahn said the governor is calling for \$2 million extra for interpreters plus extra money to cover civil cases for non-indigent people. The JFC went with the decision to pull out \$500,000 essentially saying forget about the need to extend interpreter services for civil and non-indigent. We’ll have to wait and see the fiscal impact on the county. The budget should be finished by July 1, but time will tell.

Krahn also highlighted AB79 (approved by Senate Committee and moves to Senate floor for action); AB211, AB225, AB263 (hearings next week); and new bills AB282, AB331, and AB394.

Motion to adjourn: Harenda moved, second by Kipp, to adjourn the meeting at 10:52 a.m.
Motion carried 5 – 0.

Respectfully submitted,

Mareth K. Kipp
Secretary

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